

JAN 19 2023

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# A BILL FOR AN ACT

RELATING TO DIRECT INSTRUCTIONAL SERVICES TO STUDENTS.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. The legislature finds that despite unmet  
2 resource needs at the school level, the board of education  
3 recently approved, without approval or a specific appropriation  
4 from the legislature, two new deputy superintendents with  
5 salaries of \$190,000 each. Including expenses for fringe  
6 benefits, those two positions will cost the department of  
7 education more than \$579,000 per year. It is expected that  
8 school level services will be reduced to fund those costs, which  
9 has concerned many individuals.

10           The legislature believes that funds allocated to the  
11 schools and programs that provide instructional services  
12 directly to students should not be reduced to fund the  
13 department's administration and that those schools and programs  
14 should be allowed to carry over a portion of their allocated  
15 funds to the next year.

16           The purpose of this Act is to increase direct support to  
17 students by requiring that certain allocated funds remain with



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1 the school or program and providing the department of education  
2 with flexibility to hire temporary employees for student  
3 instructional services.

4 SECTION 2. Section 37-41.5, Hawaii Revised Statutes, is  
5 amended by amending subsection (b) to read as follows:

6 "(b) Appropriations allocated to the schools or to  
7 programs that provide instructional services directly to  
8 students shall remain within the budget of the school or program  
9 to which they were originally allocated; provided that the  
10 retention of an appropriation shall not be used by the  
11 department as a basis for reducing a school's or program's  
12 future budget requirements."

13 SECTION 3. Section 302A-1116, Hawaii Revised Statutes, is  
14 amended to read as follows:

15 "[+]§302A-1116[+] **Authority to create temporary positions.**

16 The department may create temporary positions as it deems  
17 necessary; provided that:

18 (1) The department's expenditures shall not exceed its  
19 allocated budget;

20 (2) The term of each position shall not exceed one year;

21 [~~and~~]



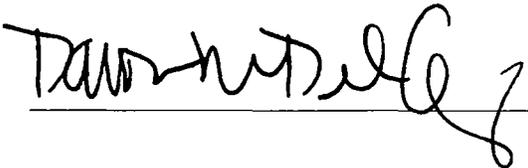
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- 1           (3) The temporary position is created to provide  
2                   instructional services directly to students; and  
3           (4) The department shall report the creation of temporary  
4                   positions to the department of budget and finance[-]  
5                   and the legislature."

6           SECTION 4. Statutory material to be repealed is bracketed  
7 and stricken. New statutory material is underscored.

8           SECTION 5. This Act shall take effect upon its approval;  
9 provided that section 3 shall take effect on July 1, 2024.

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INTRODUCED BY: 



# S.B. NO. 290

**Report Title:**

DOE; Funds Carryover; Budgeting; Temporary Positions;  
Legislature; Reporting Requirement

**Description:**

Requires that appropriations allocated to Department of Education programs that provide instructional services directly to students shall remain within the budget of the program to which they were originally allocated and that the retention of an appropriation shall not be used by the department as a basis for reducing a program's future budget requirements. Allows the Department of Education to create temporary positions under certain conditions. Amends the requirement that the Department of Education report the creation of temporary positions to the Department of Budget and Finance by requiring that the report also be sent to the Legislature.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

